

March 13, 1984

LB 1027, 1127

CLERK: And your Special Commonwealth Committee whose Chairman is Senator Vard Johnson reports 1027 to General File with committee amendments attached. (See pages 1577-1582 of the Legislative Journal.)

PRESIDENT: Very well.

CLERK: Mr. President, 1127 was a bill introduced by Senator Warner at the request of the Governor. (Title read.) The bill was read for the first time on February 14. It was referred to the Public Health and Welfare Committee for hearing. It was advanced to General File, Mr. President.

PRESIDENT: Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, LB 1127 was introduced at the request of the Governor. If you look at the fiscal note, you will notice that this is a bill which, if enacted, is a cost avoidance. As indicated on the committee statement, there was in Lancaster County District Court a suit in October which changed the definition of the State Disability Act as it has been interpreted by the Department of Social Services since its original enactment as I recall in the mid-seventies when the act was originally proposed. It was for the purpose of providing what was referred to then as a safety net disability for those individuals who qualified for disability under social security SSI, but because of the federal requirements they had to be disabled for at least 12 months prior to coming onto the SSI federal program. The Department had always interpreted the statute, the statutorial requirements to be consistent with those of SSI and so when an individual became eligible they automatically went on. As I understand it, during changes in federal regulations and/or statutes, that the requirements for SSI were adjusted and the words used in our current statute no longer, based upon the court decision, no longer authorized the Department of Social Services to use the same criteria they previously had. The effect of the court decision is a substantial increase in the eligibility for individuals to